



1632

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DOCKET NO.: 9958-002-27 CONT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Re: Serial No.: 09/811,509
Applicant(s): JOHN N. SHANNON, ET AL.
Filing Date: MARCH 20, 2001
For: METHODS AND ORGANISMS FOR CONCENTRATING AND
RECOVERING METALS AND MINERALS FROM AQUEOUS MEDIA
Group Art Unit: 1632
Examiner: CHEN, SHIN LIN

SIR:

Attached hereto for filing are the following papers:

SUPPLEMENTAL RESPONSE
DECLARATION UNDER 37 C.F.R. §1.132 (5 PAGES, EXECUTED) AND 3 ATTACHMENTS

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

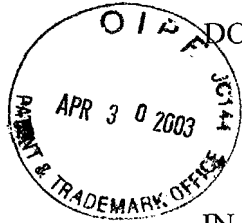
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DOCKET NO. 9958-002-27 CONT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JOHN N. SHANNON, ET AL. ART UNIT: 1632

SERIAL NO.: 09/811,509

EXAMINER: CHEN, SHIN LIN

FILING DATE: MARCH 20, 2001

FOR: METHODS AND ORGANISMS FOR CONCENTRATING AND
RECOVERING METAL SAND MINERALS FROM AQUEOUS MEDIA

SUPPLEMENTAL RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

This Supplemental Response is submitted further to the Response filed March 3, 2003
(March 2, 2003 being a Sunday) in answer to the Office Action dated December 2, 2002.

REMARKS

Applicants herewith submit a Declaration under 37 C.F.R. §1.132, which is directed to the present rejection of Claims 23, 26, 28, 29 and 31, under 35 U.S.C. §112, first paragraph and particularly to the Examiner's argument that the subject matter of the rejected claims was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The Declaration of Dr. Martin Alan Winkler, Ph.D., which is submitted under 35 C.F.R. §1.132 supports the Applicants' earlier filed remarks, which maintain that the teaching of the present application is fully enabling to teach one of ordinary skill in the art how to